1 2 3 4 5 6 7 8 IN THE UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA ADRIAN E. WHITAKER, 10 11 Plaintiff, No. CIV S-04-1794 FCD GGH P 12 VS. 13 W.N. SADY, et al., 14 Defendants. **ORDER** 15 16 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action 17 seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate 18 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262. 19 On June 19, 2006, the magistrate judge filed findings and recommendations 20 herein which were served on plaintiff and which contained notice to plaintiff that any objections 21 to the findings and recommendations were to be filed within twenty days. Plaintiff has not filed 22 objections to the findings and recommendations. 23 The court has reviewed the file and finds the findings and recommendations to be 24 supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY 25 ORDERED that: \\\\\ 26

1	1. The findings and recommendations filed June 19, 2006, are adopted in full;
2	and
3	2. This action is dismissed without prejudice. <u>See</u> Fed. R. Civ. P. 41(b).
4	DATED:September 11, 2006
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6	/s/ Frank C. Damrell Jr. FRANK C. DAMRELL JR.
7	United States District Judge
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